

# **IOWA DEPARTMENT OF NATURAL RESOURCES**

## **ADMINISTRATIVE ORDER**

### **EMERGENCY ORDER - ACUTE BACTERIA MCL**

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**IN THE MATTER OF:**

**CITY OF WIOTA  
WIOTA WATER WORKS  
Public Water Supply Facility No. 1570032**

**ADMINISTRATIVE  
ORDER NO. 2007-WS-03**

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**TO: Ross Havens, Mayor  
City of Wiota  
311 Center Street, P.O. Box 17  
Wiota, IA 50274**

**Mark Hansen, Operator  
City of Wiota  
110 Allen Street  
Wiota, Iowa 50274**

#### **I. Statement of Facts**

1. The public water supply system for the City of Wiota, Wiota Water Works (City), serves a population of 149 persons. The system is classified as a community water system and is open all year. The facility does not provide disinfection. Violations of the maximum contaminant level (MCL) for total and fecal coliforms and e. Coli bacteria, which may pose an acute risk to public health, were confirmed at this public water supply facility based on samples collected on July 25, 2007 and August 2, 2007.

2. On August 2, 2007 the Iowa Department of Natural Resources Field Office No. 4 (Department) inspected this public water supply system. The inspection identified two sanitary defects. The first defect was a one and one half inch opening in the well casing, which provides a direct conduit into the well for contaminants. The second defect concerned a temporary repair at a resident's home. When the service line to the home broke, the valves on both sides of the break were closed and a hose bib was installed at the curb stop. A garden hose was attached between the new hose bib and a hose bib on the side of the house to feed water backwards into the home until a plumber could repair the leak. As of August 2, 2007, the broken service line had not been repaired. The length of time that this connection was in place was not known. The City's water operator was instructed to fix both defects as soon as possible and to shock chlorinate the well to further address the MCL violation.

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3. A further inspection was conducted by the Department on August 6, 2007. The well and distribution system had been shock chlorinated. During this inspection the well was uncovered and a mouse nest was discovered. The operator was required to remove the mouse nest, which has been done. A follow-up visit was conducted on August 7, 2007. The hole in the well casing has been repaired. The operator has shut off the water to the residence with the broken service line. The field office inspector informed the operator that the service line must be repaired as soon as possible. The operator was instructed to clean the pitless adapter, install a new well cover, and shock chlorinate the well and distribution system again.

**II. ORDER**

Pursuant to the rules of the Department, you are required to immediately implement the following:

1. The City is required to immediately clean out the pitless adapter, install a new cover over the well, and shock chlorinate the well and the distribution system.

2. A public water supply that violates the acute coliform bacteria maximum contaminant level (MCL) must perform public notification within 24 hours after the system learns of the violation. By a Notice of Violation (NOV) letter dated August 2, 2007, the City was informed that it was required to immediately implement public notification in accordance with Department rule 567 Iowa Administrative Code (IAC) 42.1. If the City has not complied with the public notification requirements, the City is required to immediately comply with the public notice instructions included with the Department's August 2, 2007 NOV letter by giving public notice as required by the instructions. The public notice was required to inform users of this public water supply to not drink the water from this system without boiling the water first. The public notice was required to inform users of the water that it should use boiled or bottled water for drinking, making ice, brushing teeth, washing dishes and food preparation until further notice. The City was required to include in the public notice the mandatory language in the example provided with the instructions. The City was required to provide a clear explanation of the MCL violation and to include the steps that must be taken to correct the violation in the public notice.

The NOV letter required the City to provide public notification designed to reach the users of the City's system and fitting the City's specific situation. The public notice was required to include the following forms of delivery. The City was required to provide the public notice to the television stations serving the area served by the public water supply system. The City was required to post the public notice in conspicuous locations throughout the area served by the system for as long as the MCL violation continues. The City was required to deliver copies of the notice by hand to all persons served by the system. The final requirement for the City was to submit to the Department a representative copy of each type of notice distributed, published, posted, or made

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available to the persons served by the system or to the media within ten days of completion of the public notice.

If any of the above public notification requirements has not been performed by the City, the City is required to immediately comply with public notification requirements as set out in and included with the August 2, 2007 NOV letter.

3. The City is required to immediately install an approved continuous disinfection treatment system on its well and to provide disinfection of the City's public water supply. Obtain Department approval of the plans, specifications, and other documents relating to the continuous disinfection equipment. These documents are required to be completed and submitted to the Department. The forms that need to be completed are enclosed with this order. Information concerning completion of the forms can be obtained from Cecilia Naughton, Iowa Department of Natural Resources, Water Supply Section, at (515) 725-0289. Upon receipt by the Department of the above items, the Department will approve, recommend modifications to, or disapprove the installation.

4. After installation of treatment, minimum chlorine residuals of 0.3 mg/L free or 1.5 mg/L total available chlorine (or greater as directed by the Department) must be maintained throughout the system if chlorination is the selected disinfection method. Disinfection residuals shall be monitored on a daily basis, with the results reported to Department Field Office No. 4 in Atlantic on a monthly operation report form.

5. The City is required to perform all required coliform monitoring, in compliance with the requirements of subrules 41.2(1)"a", "b", and "c" and 41.2(2), including routine and repeat sampling when positive coliform analyses are obtained.

6. The City is required to cooperate fully with the Department in identifying and eliminating the cause of the bacterial contamination, and other important issues identified in the revised water supply operation permit to be issued at a later date.

7. The City is required to sample for coliform bacteria at a frequency of five samples per month starting immediately and to maintain full compliance with coliform bacteria monitoring requirements. This monitoring frequency is to continue until the City is notified of a different monitoring frequency by the Department. After twelve months of monitoring at five samples per month, the Department will review the test results and determine the future monitoring frequency for the City.

**AUTHORITY:** Iowa Code section 455B.175(2), Department rules 567 IAC 41.2 and 42.1, and Department subrules 567 IAC 42.4(3), 43.1(1), and 43.3(1).

**APPEAL:** This order is immediately effective and binding, until vacated or modified after appeal. Pursuant to Iowa Code section 455B.175 and Department subrule 567 IAC 7.5(1), a written Notice of Appeal to the Environmental Protection Commission may be

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filed within 30 days of receipt of this order. The Notice of Appeal should be filed with the Director of the Department, and must identify the specific portions of this order being appealed, and include a short and plain statement of the reasons for appeal. Any stay of this order must be requested in the Notice of Appeal. A contested case hearing will then be commenced pursuant to Iowa Code chapter 17A and 567 IAC chapter 7.

**EFFECT:** This order is being issued solely to address the emergency condition, and does not preclude the Department from taking additional enforcement action against the City to address this MCL violation or other violations that may exist at this facility.

**NONCOMPLIANCE:** If the City fails to comply with this order, the City may be subject to penalties pursuant to Iowa Code sections 455B.109 or 455B.191, and this matter may be referred to the Attorney General to obtain injunctive or other relief through the courts.

Any questions regarding this order should be directed to:

**Relating to technical requirements:**

Cecilia Naughton  
Environmental Specialist  
Water Supply Operations Section  
Iowa Department of Natural Resources  
401 SW 7<sup>th</sup> Street, Suite M  
Des Moines, Iowa 50309-4611  
Ph: 515/725-0289

**Relating to appeal rights:**

Diana Hansen  
Attorney at Law  
Legal Services Bureau  
Iowa Department of Natural Resources  
Wallace State Office Building, 502 E. 9th  
Des Moines, Iowa 50319-0034  
Ph: 515/281-6267

Matt Rhodes, Environmental Specialist  
Keith Wilken, Environmental Specialist  
Field Office No. 4  
Iowa Department of Natural Resources  
1401 Sunnyside Lane  
Atlantic, Iowa 50022  
Ph: 712/243-1934

  
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RICHARD A. LEOPOLD, DIRECTOR  
IOWA DEPARTMENT OF NATURAL RESOURCES

Dated this 13 day of  
August, 2007.

City of Wiota, Wiota Water Works- Public Water Supply Id. No. 1570032, Cecilia Naughton- Water Supply Operations Section, Matt Rhodes & Keith Wilken- Field Office No. 4, Diana Hansen- Legal Services, II.B.2.c.(1), II.B.2.g.